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**VIRGINIA COLONIAL RECORDS.**

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(From the Virginia Manuscripts in the Library of Congress.)

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(CONTINUED.)

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**THE PRIVY COUNCIL TO THE GOVERNOR AND COUNCIL OF VIRGINIA, APRIL 28, 1623.\***

After our hearty Commendations, his ma'tie haveing upon div'rs informacons presented unto him, taken into his gracious consideration the present estate of the Colonyes and plantations in Virg's and ye Bermoodies or summer Islands, hath soe farr extended his Royall care both for the Redress of that which is Amiss, and for the establishing of fitt directions and orders for the future, whereby all indirect courses misunderstandings, and dissentions may be prevented as we doubt not but that the effects thereof will both advance the publique, and also Redound to the perticular contentment, and benifitt of every honest person, who is anyway interested in that cause,

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\*The papers which are dated in 1623 all relate to the finally successful effort to dissolve the Virginia Company. The first move, as regarded the Colony, was the letter which is the first printed here. It was intended to quiet any apprehensions which might arise during the course of the attack on the Company. The second paper refers to the rejection of the proposed tobacco contract, while the third announces the appointment of several commissioners to examine conditions in Virginia. The fourth document is the order of the Privy Council directing the surrender of the Charter of the Virginia Company. This order is printed in Brown's *First Republic*, 550-552, and is there dated October 18th.

The fifth paper contains the action of the Privy Council when the representatives of the Virginia Company appeared and asked further time for consideration. The last paper, dated 1621, is the one dated by Brown October 30, which is also intended to quiet excitement and apprehension in regard to threatened alterations in the Virginia Company. The memoranda from the Bland MSS, printed in the last Magazine, 26-30, cover the same period of time as the first six papers published here, and refer to the same affairs.

which we have thought fitt to signifye unto you to the end that there be noe discouragement taken, or apprehended by any loose advertisements from any persons proceeding from \* \* \* or private ends, but that you comfort yourselves in attending the fruits of that good worke w'ch by his Majesties express Commands, are now in hand, And we doe therefore require, and in his Majesties name strictly charge you to live together in that Concord, united and joynt care of the Common good of that plantation, which becometh the Undertakers of such an action the subjects of such a King, and the professors of one Religion, And whereas wee are informed by those who were not long since eyewitnesses, that neither your fortifications, houses of habitation, nor provision of victualls are cared for in such sorte, as they ought, wee connot but let you knowe how displeasing it is to his Ma'tie to heare of these things, And w'th all require you to be more carefull for yourselves, and the good of the plantation hereafter, And soe wee doe bid you heartily fairewell, ffrom Whitehall this 28th of Aprill 1623.

Your Loveing ffriends  
Middlesex

C: CANT.

HA: WINTON

T: EDMUNDS

JO: LINCOLNE

JO: SUCKLING

JUL: CESAR

JO: MANDEVILL

GEO: CALVARD

JO: DICKENSON:

To the Govern'r Council & Colony of Virg'a

ORDER OF PRIVY COUNCIL IN REGARD TO VIRGINIA, APRIL  
28, 1623.

The letters of the Virg'a and Sumer Island Companyes being this day perused, were disallowed for that they did not pursue ye former directions by this board which was to certifye in their letters to the plantations, his Maj'ties great grace and favour towards boeth the plantations. And whereas a contract was formerly made, whereby his Majestie should have one third part of all the tobacco Comeing from thence and alsoe sixpence upon pound of the other low parties, with

divers other causes in the said contract mentioned, Now that their Lordships upon such debates did find that the Contract did proceed in that manner as was agreed, it would tend to the utter overthrowe, and Subversion of the s'd plantations, They did therefore think fitt, and accordingly order, that the contract afforesaid concerning tobacco should forthwith be dissolved and for the better encouragement of the planters it was declared that although there was formerly answered twelvenpence upon the pound to the King, yet his Majestie would be now pleased onely with ninepence upon the pound to be answered to him for all charges whatsoever belonging unto his Maj'tie & did also order that every of the planters, whoe did lately send any tobacco hither into England, shall have the same delivered unto them, paying this ninepence the pound to the King, And moreover their Lordships finding that to grant the said Companies the Sole importacione of tob'o into this his Ma'ties Dominions, would greatly advance those plantations had accordingly mooved his Majestie therein whoe was gratusly pleased therewith soe that all the tobacco, alwayes of those plantations be brought hither into England, to which purpose an Act of Councill was heretofore made of these things their Lords'ps expected that publique notice should have bin given to boeth the Companyes here, as alsoe to have advertised the same by their generall letters to the planters there for their better encouragem't and Comfort.

Ex: Jo: DICKERSON:

At Whitehall the 28th of Aprill, 1623:

PRES'T.

Lo: Treasurer	Mr Controuler
Lo: Bys'p of Winton:	Mast'r of ye Roles
Lo: Archbyshop:	Mr Treasurer
Lo: President	Mr Secr. Calvert

Acts of Councill touching the Virg'a & Summer Islands  
Companyes Concerne, the Contract & ye Letters.

PRIVY COUNCIL TO THE GOVERNOR AND COUNCIL OF VIRGINIA,  
OCT. 24, 1623, ANNOUNCING COMMISSION OF  
HARVEY, &C.

After our heartie Commendacons, Whereas wee have thought fitt to appoint John Harvie Esq'r John Pory, Abraham Persey Samuell Matthews, and John Jefferson Gentlemen, to make perticular and dilig't enquiry touching divers p'ticulars, which concerne the State of that plantacon, where you remaine. To the end they may the better performe the order they have received from us, & discharge the trust Committed unto them, wee doe hereby will and require you to yield them the best aide and assistance upon all occasions, and in all these things wherein they shall find cause to use the same, to the end afores'd. And soe wee bid you heartily fairwell: ffrom Whitehall the 24th of Octob'r 1623:

Your Loving Friends

T: EDMUNDS:

C: CANT

RICH: MULLENOR

JO: LINCOLNE

JO: CAREW

JO: MANDEVILL

JO: DICKENSON.

GEO: CALVERT

To the Govern'r & Councill in Virg'a

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ORDERS OF THE PRIVY COUNCIL IN REGARD TO THE VIRGINIA  
COMPANY, OCT. 4, 1623.

This day the Deputie and divers of the adventurers & Compa. of Virg'a were called to the board, unto whom their Lord-s'ps delivered that his Majestie haveing taken into his Princely consideration the distressed estate of that Colony, and plantation, occasioned as it seemed by miscarriage of the government in that Compa. which cannot well be remedied but by reducing the government into the hands of a fewer number of Govern'rs neer to those that were in the first Patents of that plantation But especially to be provided, that the interest of all adventurers and private persons whatsoever shall be preserved and Contained as they are, hath therefore resolved a

new Charter to appoint a Govern'r and twelve assistants resident here in England, unto whom should be Committed the Governm't of that Compa. and Colony, which Govern'r and assistants his Majestie will be pleased to nominate and make choice off, the first time, and afterward the election of the Govern'r to be in this manner viz: the Assistants to present the names of those to his Majesty, of whom his Ma'tie will be pleased to nominate one to be Govern'r and the assistants to be chosen by ye greater part of the Govern'r and assistants for the time being The names of them to be chosen being first presented to his Maj'tie or this board, to be allowed or disallowed by his Ma'tie And the Govern'r and six of the Assistants to be changed [?] once in two years, And his Maj'tie is pleased that there shall be resident in Virg'a a Govern'r and assistants here resident, they presenting the names to his Ma'tie may allowe or disallowe of the same, And as the Govern'r and assistants resident in Virg'a shall have dependance and relation to the Govern'r & assistants resident here, soe the govern'r and assistants here shall have dependance & relacon here on this board, whereby all matters of importance may be directed by his Ma'tie at this Board, And that in the same Charter his Ma'tie purposed to make the like grants, as well of Lands, as of ffranchises, and other benefitts, and things as were granted in the form'r Charter, with declaration that for the settling and establishing of private interests of all men, This new Compa. shall Confirme or newly grant unto them the like interests, as they enjoye by grant order or allowance of the form'r Compa. And the Deputy & others of the said Compa. were by their Lordships required to Assemble a Court on Wednesday next, therein to resolve whether the Compa. will be contented to submit & surrend'r their form'r Chart'r and accept of a new Charter with the alterations above mentioned, and to return their answers with all expedition unto this board, His Ma'tie being determined in default of such submission to proceed for the recalling of the said former Charters in such sort as shall be just.

Whitehall the 4th of Octob'r 1623

## PRESENT

Lo: Keeper	Lord Chichester
Lo: President	Mr Sec: Calvert
Lo: Vic: Grandison	Master of the Roles
Lo: Carew:	

Their Lor'ps ffirst Order the 8th Octob'r 1623.

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ORDERS OF THE PRIVY COUNCIL IN REGARD TO THE VIRGINIA  
COMPANY, OCT. 17, 1623.

This day the Deputy and others representing the bodye of ye Virg'a Compa. did in conformity to the ord'r they had rec'd, exhibit at ye Board their answer to that, which according to his Ma'ties pleas'r their Lords'ps hath both propounded unto them viva voce and alsoe directed by an act of Councilil dated the 8th of this moneth whereof a Coppy was delivered them, in which doth manifestly appeare his Maj'ties gracious intentions, and Royall care of the plantation both generally for the point of government and perticularly for the Concerneing of every mans private interest. Now for as much as the said answer is meerly delatory, the s'd Deputie and the rest pretending thereby that by reason of a Limmitatio in their Patent, they may not handle matters of that nature & weight, but at a quarter Court which not be untill the 19th of November next, Their Lords'ps being noe wayes satisfyed with this pretence, and considering his Ma'tie expecteth a speedy acco't of the proceedings in this business which alsoe in itselfe, requireth all expedicon in regard of the importance and consequence thereof, have therefore Ordered, and expressly charged the said Deputy and the rest, that they assemble themselves againe forthwith and on Munday next in the afternoon w'ch will be the 20th of this month, deliver a cleer, direct and small answ'r to that w'ch had been before propounded and was this day re-iterated unto them, viz.: whether the s'd Compa. will be Content to submitt & surrend'r their form'r Chart'r & accept of new Chart'r w'th ye alterations menconed in the afores'd act of

Councill, And to this purpose the Dep'ty was expressly commanded to propound the Question to ye s'd Compa. in these cleare & plaine termes in w'ch it was delivered.

At Whitehall the 17th of O'b'r 1623

## PRES'T

Lord Archbys'p of Cant:	Ea: Kelsey
Lo: Treasurer	Lo: Vic: Grandison
Lo: President.	Lo: Chichester
Mr Sec: Calvert:	mr Treasurer
Ea: Marshall	mr Chanc. of ye Excheq'r
Ea: Carelile	mr of the Roles

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ORDERS OF THE PRIVY COUNCILL IN REGARD TO VIRGINIA,  
OCT. 20, AND 24, 1623.

At Whitehall 20: 8b'r 1623.

Whereas their Lords'ps were this day informed that there is a great discouragement amongst many adventurers of the plantation in Virg'a by reason of the intended reforming, and change of the government, whereupon they are fearfull to prosecute y'r adventures, soe as it may occasion some stopp of these shippes which are now ready ffraighted, and bound for that Country. Although their Lords ps marvaile that any should be soe farre mistaken, considering the declarations that have bin made at the Board viva voce, as also by an act of Councill, and otherwise, Yet for the better satisfaction of those who either through error or mistakeing, or through the untrue Suggestion of others, have conceived such feare and discouragem't Their Lordships doe think fitt hereby to declare againe, that there is not other intention then meerly, and onely the reforming and change of the present government, whereof his Majestie, hath seen soe many bad effects, as will be to the endangering of the whole plantation if it continue as it is Nevertheless for as much as it Concernes the Private interest of any man, his Ma'ties Royall care is such, that noe man shall receive



any prejudice, but shall have his estate fully & wholly conserved, and if in any thing it be defective, better to be Secured soe as they need not apprehend any such feare or ot'r inconvenience but contrarywise Chearfully to proceed. It is therefore Ordered by their Lords'ps and thought fitt to be published to the Compa. that it is his Ma'ties absolute Command that the Shipps which were intended to be sent at this time to Virg'a and are in some readiness to goe be with all speed sent away for the Releise of those that be there and ye good of that plantation, and this to be done without Stopp or delay: Their Lords'ps think fitt that this and the two anexed orders be published by the bearer hereof, mr Jno. Pory; in all such places within Virg'a as he shall think fitt for the satisfaction of the Planters there.

Ex: JOHN DICKENSON.

PRESENT

Lo: Arch Bys'p of Cant	Lo: Keeper.
Lo: Treasurer	Lo: Vic'o Grandison
Lo: President	Lo: Chichester
Lo: Privy Seale	Mr Secr: Calvert
Ea: Marshall	Mr of the Roles.

A Coppy of their Lords'ps third Ord'r Octob'r the 20th & 24th 1623:

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INSTRUCCONS FOR HIS MA'TIES SUB COM'R OF PRIZES IN VIRGINIA, FEB. 28, 1664.\*

I You shall demand, take an account of and receive into your Custody from such Captaines, and other officers, or

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\*In 1664 the English government ordered reprisals to be made on Dutch commerce in retaliation, it was claimed, for injuries which the Dutch had inflicted on English merchants. Many prizes were taken. In the next year war was declared. The Duke of York, afterwards James II, was at the head of the English navy. A number of documents relating to prizes, convoys, etc., during the years 1664-1667, are among the Virginia records.

In 1667 a Dutch fleet entered the Thames and another destroyed

Command'rs of Ships, or other P'son or P'sons as shall bring ye same into any Porte und'r your Charge, all Prize shippes, or Vessells w'th their tackle, Apparrell, and furniture, Armes. Ordinance, Stores of amunicon, and proviscon, And all Wares, Merchandizes, Plate, Monyes, or other goods, or lading, And all papers, Cocquetts, accomp'ts, bills of Lading, Evidences, examinacon, and proofes whatsoever [?] taken on board such Prize brought, or that shall bee brought into or neare your said Ports by any of his Ma'ties ffrigates, ships, or Vessells of Warre, Or which shall bee otherwise by any detention seizure or other Capture Either at Sea, or in Port belong to his Ma'ty bee brought into your ports, w'ch all Captaines, Marriners, and all officers, & Every P'son and P'sons bringing in any such ship are to deliver unto you, and you shall Conveniently and securely dispose of all such ships, and place such honest P'sons for Waytors on board each ship, as shall bee necessary for security of ye goods, and furniture, W'ch Ship, or shippes, Goods and Wares you shall receive by two paire of Indentures to be signed and sealed ye one parte of Each by such Captaine, Officer, Mariner, or P'sons who bring ye same into ye Port, ye other by your selves, The one pair expressing ye names of ye ship and master, and by whom and by What ship taken ye burthen, tackle, apparell, ffurniture, stores of armes amunicon, and Provision in ye Prize, ye other ye lading of ye ship both as p'ticularly as may bee without breaking Bulke, of which Indentures you shall by ye first Conueniency send Duplicates, unto us & Counterparts of y'm to his Ma'ties Controulr And you shall sell or dispose of ye said ships, or goods as you are by these pr'sents, or shall bee by future Instrucons directed, and in Case it shall bee necessary to bring any Ship aboute from one Porte unto another und'r your Charge ye P'sons imployed in that service shall bring with them to ye sub Comm'r of that Porte to which such ship, or goods is brought as certificate of ye rates agreed to bee

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English merchantmen in Hampton Roads. For an account of the latter exploit see this Magazine, IV, 229-245.

paid for that service, whereof one duplicate shall bee sent to us, One to ye R't Hono'le Anthony Lord Ashly his Ma'ties Treasu'r for all monyes arrising by ye sale of prize ship'd and goods, and One to ye R't Honorable S. Henry Bennett his Ma'ties Comptroler for Prizes.

2 And to ye end all proceedings and accounts concerning ships of one name and place where it shall soe happen, and of Each parcell of goods out of Every of them landed may bee cleare, and directly refere unto and Correspond each w'th other, and bee distinctly understood in all proceedings of ye Court of Admiralty, and other proceedings and accomp'ts concerning them respectively. You are at ye first Entry of Every such ships name in Each Inventory to affix some marke of Distinction, and upon Every p'cell of goods landed out of such ship to putt ye same marke of Distinction which may referr to ye same ship and such other marke of Distinction as may plainly distinguish Every individuall parcell of Goods each from another, and soe to Continue ye said marques in all ye Inventories, Appraizements, accomp'ts of Custome accomp'ts of Incident Charges, Contracts, ord'rs for sale and delivery, and in all accomp'ts and proceedings wherein any ye Said ships, or goods are menconed that noe Confusion, or Error happen through misunderstanding them, or any of them

3 You shall not suffer any wast, or Embezzlement to bee made by any fraud, neglect, or other wise of any shippes, tackle, apparrell, or Wares, or Merchandizes either on board, on shore, or other wise, nor suffer Bulke to bee broken of any ship brought into your Custody nor any disposure to bee made of her furniture, stores, or lading untill it shall be soe ordered, or decreed by Judicature of the Admiralty, appoynted, or to be appoynted for adjudication of ye tittle to ships, and goods destined, seized, or taken a Prize within his Ma'tie Plantacon of Virg'a, And where you shall find any goods lyable to Waste by any Leakage of any Prize ship, or otherwise or in their owne nature perishable, or damaged by any accident or ye ship much decayed, you shall transmitt Affidavit thereof unto ye said Judicature upon ye oathes of two, or more p'sons to

be deposed before some magistrate in, or neer ye said Port, attested under ye seale of ye Porte, or such magistrates hand and seale wherein all ye markes and number of ye said goods shall bee exactly expressed

4 And to ye end that his Ma'ties tittle to such ship and goods may bee duely secure and Cleared, you shall carefully preserve ye Papers, Cocquettes, and proofes taken on board any prize, and diligently peruse them, and haveing sealed them up shall safely send them unto such officers of ye said Judicature of ye Admiralty as is or shall be appoynted to mannadge ye defence of his Ma'ties title to ye said ships and goods together w'th Affidavit first made either by ye seized, or Seizors or both, That said Papers, were found on Board such ship, and that those are all ye Papers and that they have not been altered since they were taken, and you shall cause full Examinacons, of Two three, or more of ye Principall Officers, or Marriners, taken on board such Prizes to bee taken before some Magistrate w'th ye assistance of a publiq notary or Clarke of ye Towne to bee by them attested, And like Examinacons, or Deposicons of two or three of ye Principall Officers, Marriners of the Ship which tooke such prize of what they can attest tending to ye Clearing of his Ma'ties Tytle to such ships and goods And you shall deliver them to ye said Officer of ye Judicature of ye Admiralty as concerning other proofes is herein before directed, which Examinacons of ye officers, or Marriners taken on board shall as well Exprest their knowledge of ye quantity of ye ships furniture, and quantity, quality, marks, and numbers of ye goods on board before her being seized The names of ye Respective Owners of such Ships and goods, their Place of abode and Porte from whence Laden, and wether bound as also ye truth [?] of ye Cocquettes, bills of Lading, accomp'ts, papers, and what else within such Examin'ts Knowledge, may be necessary to Estimate ye Quantity, and Discriminate ye Propriety of ye said furniture & lading

5 You shall upon breaking of Bulk, and landing ye goods out of each ship take, or cause to bee taken your selfe being

pr'sent, and in ye pr'sence of ye Ware house keepers, true Inventories of all such Prizes, and Goods brought in your Custody That is to say two upon Each ship, ye One of Tackle, Aparell, ffurniture, store of Armes, amunicon, and Provision, ye other of goods, Wares, and merchandizes taken in such ship, of Each of which Inventories you shall keep distinct Entries, w'ch Inventories of ye goods, Wares, and merchandizes shall exactly containe ye quanties, and qualities, and all their markes, and numbers to which End you shall Cause ye said goods to bee truly weighed, measured, and gaged according to their respective Qualleties, that is to say you shall Cause all liquid goods to bee filled up and measured, and ye Caske to bee made tight and sufficient to preserve such goods from wast and Leakage, all weighable, and measurable goods to be exactly Weighed and Measured, and ascertaine ye allowance to bee made for tare and dammages w'ch Inventories ye said Warehouse Keeper shall attest, And when ye said Judicature of ye Admiralty shall give ord'r for that purpose, You shall cause ye said goods to bee appraised by ye same markes, and Numbers (by which they were inventoryed) by three or four understanding P'sons to ye right and true vallue without fraud and deceit, and ye P'sons appraising them shall signe unto such appraisements, and to an entry of them in your booke, and three duplicates, Which duplicates you shall by ye first Conveniency send, One to Us, one to his Ma'ties said Treasurer' and one to his Ma'ties said Controller in all which ye exact quantities, quallities Markes, and Numbers shall bee exprest

6 You shall from tyme to tyme out of such monyes as are, or shall come to your hands as ye proceede of Prize ships, and goods, disburse monyes for incident Charges for and aboute ye service, And take Care that noe more mony bee upon any occasion or at any tyme disbursed upon that Accompt then necessity req'res all which Charges you shall draw up in bills by you and ye Warehouse Keeper subscribed and see that such bills be truly bee made, which you shall enter in a booke for that purpose, and not pay any monies in discharge of them

without ye receipt of ye P'son to whom such Charges are due, Which receipts you shall also Enter in ye said books under ye respective bills to them belonging, and you shall make up accompts of such incidents, and send them with ye Vouchers to Us with ye first Convenience, And in p'ticular you shall Vouch all Charges Issued for bringing any ship from one Port to another by Certificate by ye first instruccon herewith given, And all Warehouse rent and Cellarage, by attestacon of ye Warehouse Keeper, and all other issues by ye aforesaid bills, and receipts, and you shall distribute such disbursements, and place them to ye proper, and respective Accompts of ships, and goods condemned, restored, or not adjudged for whose accompts they were issued, And such as are not distinguishable & where they are promiscuously concerned in due proporcon upon all, according to their respective Valuacon and transmitt to Us with ye first Convenience, and when any Orders of restitution of any ship, or goods are produced to you, you shall demand repayment of ye Charges expended or disbursed on such ship, or goods, & haveing received ye same deliver such ship and goods according to such ord'r & not before, with which repayments you shall Charge yourselfe upon your accompt

7 You shall from tyme to tyme expose such ships & goods to sale for w'ch you shall receive order from ye said Judicature of ye Admiralty, by ye same markes, and numbers by w'ch they were appraised, and Condicon that Every first bidding a Competent summe be advanced above ye appraizment, see Every after bidding to advance in proporcon, & therein doe your utmost to prevent Conbinacons upon any sale, and before all sales to bee made by ye Candle you shall Cause publicacon to bee made thereof in writing some convenient tyme before hand in ye some of ye most remarkable places expressing in such publicacon ye Names of ye ships, and goods, and ye day hourer and place appoynted for sale and Whosoever at ye goeing out of ye Candle shall bid ye hiest prize above ye apprizement shall have ye said Prize ship, or goods delivered to him on ye Condicon following (that is to

say) that hee received ye Goods with all faults dammaged, or not dammaged, and with ye allowances if Tare, Trett, and dammages, by you to bee sett downe before sale, and to Export noe abaitment on any account whatsoever, and to pay in one Moitie of ye mony due upon such sale forthwith, or ye next day after such sale, And ye other Moyetie within one month at farthest after such sale upon payment of w'ch Latter moety ye ships, or goods soe bought to bee delivered and not before, and in Case any Byer faile of paying in his first Moitie, and any dammage acrew thereupon, You are to prosecute such Buyer on his Ma'ties behalfe for such Dammages. And if any Buyers faile in paying his last Moitie, hee is to forfeit his first Moitie paid, And in either fault if first or second payment ye goods to be resold, and ye proceeds to bee for his Ma'ties use Notwithstanding ye former sale. The substance of which Condicons you are to insert in a Contract to bee drawn up by you before hand for that purpose upon Each ship, and each parcell of goods exposed to sale and to bee signed by Each Buyer immediately upon ye going out of ye Candle, And in all sales to bee made of Sortable goods you are to sort them equally and indifferently soe that it may not bee in ye Power of any Buyer to select ye Choyce goods of any parcells and leave ye Refuse behind, And you shall from tyme to tyme send Us true, and distinct coppies of all sales made in parcells as they were sold expressing therein, and keeping ye same Names, markes, and numbers of ye said goods by which they were expressed in their inventories, and appraizements, and shall bee respectively expressed in each contract for sale, and ye Prizes at which they were appraized annexed unto them respectively and out of what ship Each parcell of goods come, and expressing in what warehouse stored, by whom bought, & at what rate And by ye first Conveniency after Every sale you shall certifie unto his Ma'ties said Treasu'r and Controller true Coppies of Each Contract and sale, and in such Contracts, duplicates, and Coppies observe ye same directions where divers ships are of ye same name and Place, as is herein before given, and when any

Buyer hath paid in his whole moytie at ye second payment due for each parcell, You shall deliver to such Buyer upon his receipt ye goods by him bought, which receipt shall also conteine ye markes, Numbers, and distinctions in like manner as is before in other procee[ds?] directed, and ye allowance made for Tare, or other wise, and express ye mony paid, and tyme when, and you shall Certifie us of all Default of payments, and also sales in Ord'r as they shall happen

8 And Wheres you shall be enformed that any fraud hath been practized or any Embezelment made upon any prize ship, or of any goods you shall enquire and search after such and signifie what you understand Concerning ye same to Us, and require ye assistance of any Civell or Millitary Officer, where it shall bee necessary to ye discovery or security of any Prize goods, or P'sons offending in ye pr'misses, and to seize such goods, and to secure such Offenders when they shall bee found, and dispose of ye said goods as you shall receive directions from Us, giveing Us timely and Constant Notice concerning your proceedings upon such Occasions

9 You shall neither by your selfe, nor any other directly, nor indirectly, contract for, Buy, nor otherwise interest your selfe in any Prize Ship, or goods, or any Parte thereof, nether to your owne use, nor to any other in trust for you, nor to your advantage, or benefitt, and in Case any such Contract sale or Interest shall bee made, or obteyned ye same to bee void, and your selfe incapable of any further trust in this affare

10 You shall make up your Genn'll Accompt of Prize ships and goods in two Parts by way of D'r and C'r ye one of ships and goods condemned, and incident charges expended on them, ye other of ships and goods restored, and those not adjudged and incident Charges chargeable on them, and in both distinguish ye goods perishable in Each ship, and sold for such from other goods of ye same ship, In both w'ch shall also bee expressed ye markes and numbers of Each parcell of goods their quantity and quallity as they were first delivered into ye Warehouse, and as they were sold, and in both ye said accompts, the said ships, and goods shall bee made D'r and In-



cident Charges of all sorts, and C'r for ye proceed of such ship and goods distinguished from ships of ye same Name and Place as is before derected, that ye reference of such accompts to all proceedings upon, or concerning such ships, or goods may bee Clear and Evident.

11 You shall from tyme to tyme give an account to his Ma'ties said Treasu'r of what Mony you receive and issue upon Accompt of ships, and goods detained, seized, or taken as Prize, observe such derections or ord'rs and make such payments, or returns as his Ma'ties said Treasu'r shall direct, and in all returns by bills of Exchange you shall Cause to bee inserted in such bills, that ye vallue therein menconed is received of you as his Ma'ties Sub Comm'r for Prizes in his Ma'ties Plantacon of Virginia, and not of you by Name in your Private Capacity.

12 You shall when any ship is brought into, or nere your Ports being received by any his Ma'ties ffrigates, Ships or Vessels of Warr by ye first Conveniency Certifie Us such Ships name, and burthen, ye Masters name to bee taken thereof, & ye same to bee delivered to ye Judicature, and of her being rescued before some Magistrate by some of ye officers, or Marriners by whom she was rescued, and shall take care that ye Inventory, and Appraizments upon such ships bee full, and to ye just Vallue 1 Coppie of which you shall send to us, and take care that his Ma'ties dues for salvage of such ships bee not deminished by Omissions, concealments, or undervaluacons.

13 You shall once every six months or oftner if thereunto required make up an account of all ships; their tackle, apparells, & furniture stores of Armes, amunicon, and provision, which, or any of them have been or shall bee delivered to any Captaine, Boatswaine, Gunner, or other officer ffleet, or nere taken by them, or any of them, and you shall make Certificate thereof to Us, that ye same may bee Charged on them, and bee answered to his Ma'ty upon ye passing their respective Accompts

14 You shall from tyme to tyme upon ye taking, and bring-

ing in of any prize bee very solicitous, and diligent in Enquiring after any matter, ground, or Evidence upon which ye said ship and goods or any parte thereof may bee adjudged as lawfull Prize to the King, and if you know or bee informed of any P'son, or P'sons that can depose any thing Materiall in order thereunto, either of ye ships Company soe taken over and above those that shall bee brought by ye Captaine of ye Kings ship to bee examined, or any other and if you can, or have opportunity soe to doe, you shall Cause such P'son or P'sons to bee examined before ye Chief Magistrate, or Magistrates of ye place to make Affidavit of, and deliver such attestacons close sealed up, to ye P'son employed to mannage ye defence of his Ma'ties title in ye assistance, and authority of any Magistrate, or Officer Civill or Military herein,

15 And you shall as oft as with Conveniency you can send us p'ticular informacon of all your proceedings aboute, and of ye State of this affaire, and observe such farther directions as Wee shall at any time give concerning ye Management of the trust hereby Committed to you, Dated at White hall ffebruary 28th 1664

Buckingham  
Jo Berkeley  
Ashley

Lauderdaill  
G: Carteret  
Robert Southwell

(TO BE CONTINUED)